IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 618 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SAHITYA MUDRANALAYA

Versus

DESAI TRAVELS

Appearance:

MR PRASHANT G DESAI for the Petitioner.

RULE SERVED for Respondent No. 1

MR NV ANJARIA for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 09/03/2004

ORAL JUDGEMENT

By filing this Civil Revision Application, the original plaintiff of Summary Civil Suit No.1941 of 1993 has challenged the order passed by the trial court,

granting unconditional leave to defend to the defendants. In view of the amendment in Section 115 of the Code of Civil Procedure, Mr.Desai, learned Advocate for the petitioner, wants permission to withdraw this CRA as the same is not maintainable. Permission is granted. Petition stands disposed of as withdrawn. Rule is discharged with no order as to costs.

Learned Advocate for the petitioner submitted that since the suit in question is of 1993, the same is required to be decided at the earliest. Considering the fact that the suit is of 1993 and which is a money suit, the learned trial Judge may try to dispose of the same expeditiously, and as far as possible, may try to put an end to the aforesaid suit by 31st December, 2004.

Writ of this Court to be sent to the trial court forthwith for deciding the suit expeditiously.

9th March, 2004 (P.B. Majmudar, J.)

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(apj)